

SENATE BILL No. 140

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-32-7-3; IC 4-32-9-16.

Synopsis: Use of charity gaming proceeds. Restricts the department of state revenue's authority to adopt rules regarding the use of charity gaming proceeds. Voids certain rules regarding the use of charity gaming proceeds.

Effective: Upon passage.

Paul

January 4, 2005, read first time and referred to Committee on Tax and Fiscal Policy.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 140

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-32-7-3 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE UPON PASSAGE]: Sec. 3. **(a) Except as provided in**
3 **subsection (b),** the department may adopt rules under IC 4-22-2 for the
4 establishment, implementation, and operation of allowable events or to
5 ensure that the allowable events are consistently operated in a fair and
6 honest manner.

7 **(b) The department may not adopt a rule under IC 4-22-2**
8 **requiring a qualified organization to use a minimum percentage of**
9 **the qualified organization's gross receipts from allowable events**
10 **and related activities for the lawful purposes of the qualified**
11 **organization.**

12 SECTION 2. IC 4-32-9-16 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 16. **(a)** The
14 department may, by rule, set the allowable expenditures of a qualified
15 organization with respect to an allowable event.

16 **(b)** All net proceeds from an allowable event and related activities
17 may only be used for the lawful purposes of the qualified organization.

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1 (c) This section may not be construed to authorize the
2 department to adopt a rule requiring a qualified organization to
3 use a minimum percentage of the qualified organization's gross
4 receipts from allowable events and related activities for the lawful
5 purposes of the qualified organization.

6 SECTION 3. [EFFECTIVE UPON PASSAGE] 45 IAC 18-3-7 and
7 45 IAC 18-3-8 are void. The publisher of the Indiana
8 Administrative Code shall remove these sections from the Indiana
9 Administrative Code.

10 SECTION 4. An emergency is declared for this act.

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